

09/26/03

UTILITY  
PATENT APPLICATION  
TRANSMITTAL(Only for new non-provisional  
applications under 37 CFR 1.53(b))

Title of Invention

2' or 3'-Deoxy and 2',3'-Dideoxy-Beta-L-  
Pentofuranonucleo-side Compounds, Method  
of Preparation and Application in Therapy,  
Especially as Anti-Viral Agents

Named Inventor(s)

Gilles Gosselin *et al.*

Attorney Docket

EMU120 CIP3

Express Mail Label No.

EV330777193US

## APPLICATION ELEMENTS

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification, Claims,  
and Abstract Total Pages **25**
4. ☒ Drawings Total Sheets **2**
5. Oath or Declaration Total Pages  
a. ☐ Newly executed (original or copy)  
b. ☒ Copy from prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17  
completed)  
(i) ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior  
application, see 37 CFR 1.63(d)(2)  
and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76.
7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence  
Submission (if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ paper  
c. ☐ Statement verifying identity of above  
copies

The Commissioner for Patents

ADDRESS TO: Mail Stop Patent Application  
P. O. Box 1450  
Alexandria, VA 22313-1450

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement  
(when there is an assignee)  
☐ Power of Attorney by  
assignee
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)  
PTO-1449  
☐ Copies of IDS
- Citations
13. ☒ Preliminary Amendment 3 pp.
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
16. ☒ Other: Request for Filing a Continuation  
Application Under 37 CFR § 1.53(b) 2 pp.

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09/953,187

Prior application information: Examiner: Howard Owens Group/Art Unit: 1623

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS:

Sherry M. Knowles  
45<sup>th</sup> Floor  
191 Peachtree Street, N.E.  
Atlanta, Georgia 30303By: Sherry Knowles at express permas  
36, 174 Reg. No. 33,052  
Telephone: 404.572.3541  
Facsimile: 404.572.5145  
Customer No. 20786

09/26/03 U.S. PTO

10/672585

092603

## FEE TRANSMITTAL

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): Gilles Gosselin et al.

Filing Date: September 26, 2003

Title: 2' or 3'-Deoxy and 2',3'-Dideoxy-Beta-L-Pentofuranonucleo-side Compounds, Method of Preparation and Application in Therapy, Especially as Anti-Viral Agents

The filing fee is calculated as shown below:

### 1. FILING FEE:

| SMALL ENTITY   |          |          | LARGE ENTITY |               |
|--|----------|----------|--------------|---------------|
| FOR:   | FEE      | FEE PAID | FEE          | FEE PAID      |
| <input checked="" type="checkbox"/> UTILITY FILING FEE | \$375.00 |          | \$750.00     | <b>750.00</b> |
| <input type="checkbox"/> DESIGN FILING FEE             | \$165.00 |          | \$330.00     |               |
| <input type="checkbox"/> PLANT FILING FEE              | \$255.00 |          | \$510.00     |               |
| <input type="checkbox"/> REISSUE FILING FEE            | \$370.00 |          | \$740.00     |               |
| <input type="checkbox"/> PROVISIONAL FILING FEE        | \$80.00  |          | \$160.00     |               |
| SUBTOTAL (1)   |          |          |              | <b>750.00</b> |

### 2. CLAIMS:

| SMALL ENTITY   |           |           |          | LARGE ENTITY |             |          |
|--|-----------|-----------|----------|--------------|-------------|----------|
| FOR:   | NO. FILED | NO. EXTRA | RATE     | FEE          | RATE        | FEE      |
| TOTAL CLAIMS   | 36 - 20 = | 16        | x \$9 =  |              | 16 x \$18 = | \$288.00 |
| INDEP. CLAIMS  | 3 - 3 =   | 0         | x \$42 = |              | 0 x \$84 =  | \$0.00   |
| <input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED |           |           | +\$140 = |              | + \$280 =   | \$280.00 |
| SUBTOTAL<br>(2)  |           |           |          |              |             | \$578.00 |

### 3. ADDITIONAL FEES:

| SMALL ENTITY                                       |     |          | LARGE ENTITY |          |
|--|-----|----------|--------------|----------|
| FOR:   | FEE | FEE PAID | FEE          | FEE PAID |
| <input type="checkbox"/> LATE FILING, FEE OR OATH  |     |          |              |          |
| <input type="checkbox"/> NON-ENGLISH SPECIFICATION |     |          |              |          |
| <input type="checkbox"/> OTHER                     |     |          |              |          |
| SUBTOTAL (3)                                       |     |          |              |          |

**TOTAL FILING FEES: \$1328.00**

A check is enclosed for the amount: \$ \_\_\_\_\_

☒ Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 11-0980.

KING & SPALDING

45<sup>th</sup> Floor, 191 Peachtree Street, N.E.

Atlanta, Georgia 30303

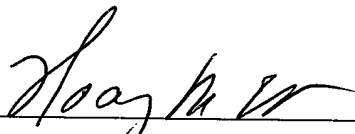
Telephone: 404.572.3541 *Sherry Knowles w/extension*

By: *Madeleine* 36, 174 Date: September 26, 2003

Sherry M Knowles, Attorney for Applicant Reg. No. 33,052

**CERTIFICATE OF MAILING UNDER 37 CFR § 1.10**  
**FOR UTILITY PATENT APPLICATION FILING**

I hereby certify that this Request for filing a Continuation Application, Transmittal of Utility Patent Application, Utility Patent Application, and Fee Transmittal, along with any documents referred to as attached therein are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addresses" services under 37 CFR 1.10, Mailing Label Number EV330777193US addressed to Mail Stop PATENT APPLICATION; The Honorable Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on September 26, 2003.

  
\_\_\_\_\_  
Hoang M. Vo  
Reg. No. 47,158

Date: September 26, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|   |   |                        |
|---|---|------------------------|
| In re Application of:                         | ) |                        |
|   | ) |                        |
| Gilles Gosselin, et al.                       | ) |                        |
|   | ) |                        |
| Serial No.: Unassigned                        | ) |                        |
| This is a Continuation of                     | ) |                        |
| U.S.S.N. 09/953,187                           | ) | Art Unit: 1623         |
| Filed: September 14, 2001                     | ) | Examiner: Howard Owens |
|   | ) |                        |
| For: 2' or 3'-Deoxy and 2',3'-Dideoxy-Beta-L- | ) |                        |
| Pentofuranonucleo-side Compounds,             | ) |                        |
| Method of Preparation and Application in      | ) |                        |
| Therapy, Especially as Anti-Viral Agents      | ) |                        |
|   | ) |                        |

Mail Stop Patent Application  
The Honorable Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

---

**REQUEST FOR FILING A CONTINUATION APPLICATION UNDER 37 CFR § 1.53(b)**

---

Sir:

This is a request by Gilles Gosselin, Jean-Louis Imbach, Ann-Marie Aubertin, Jean-Pierre Sommadossi, and Raymond F. Schinazi for filing a Continuation Application under 37 C.F.R. § 1.53(b) of pending prior application U.S. Serial No. 09/953,187, filed on September 14, 2001, currently pending.

Enclosed is a copy of the prior application U.S.S.N. 09/953,187 as originally filed on September 14, 2001. The application includes twenty-five pages of specification, claims, and abstract and two pages of formal drawings.

Also enclosed are copies of the executed Declarations for Patent Application and Powers of Attorney.

Continuation of Application No. 09/953,187  
Transmittal for Request of Filing Continuation Application dated September 26, 2003

A Preliminary Amendment is enclosed. Applicants request entry of the Preliminary Amendment prior to examination of this application.

Applicant believes the fee for filing this application is \$1328.00. The Commissioner for Patents is authorized to charge this fee and any additional fees which may be required, or credit any overpayment, to Deposit Account No. 11-0980.

Respectfully submitted,

*Sherry Knowles*

*With express permission Madeleine 36,174*

Sherry M. Knowles

Reg. No. 33,052

Date: September 26, 2003

Express Mail Label EV330777193US

King & Spalding LLP  
191 Peachtree Street  
Atlanta, Georgia 30303  
404-572-3541 (telephone)  
404-572-5145 (facsimile)  
Attorney Docket No. EMU120CIP3